

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MATTHEW LA BREC,

Plaintiff,

v.

SALAM SYED and TRISHA ANDERSON,

Defendants.

ORDER

19-cv-804-jdp

This case is proceeding to trial on plaintiff Matthew La Brec's claims that defendant Trisha Anderson, a nurse, failed to adequately treat La Brec's hand injury and that Salam Syed, a doctor, failed to adequately treat La Brec's nerve pain. The court stayed the case to recruit counsel to represent La Brec, but now attorneys Emil Ovbiagele and Megan Mirka from the law firm OVB Law & Consulting have volunteered. Counsel have taken the case with the understanding that they will serve with no guarantee of compensation for their services.

It is the court's intention that the scope of representation extends to proceedings in this court only. "Proceedings in this court" include all matters leading up to a final judgment on the merits, the filing of a notice of appeal, if appropriate, and ensuring that all steps are taken to transfer the record to the Court of Appeals for the Seventh Circuit. The court also intends that the scope of representation be limited to litigating La Brec's current claims. It is unnecessary for counsel to file an amended complaint or otherwise relitigate matters already completed. Counsel should focus on doing what is necessary to prepare the case for trial. If counsel believe that they need to file an amended complaint, they will have to meet the requirements of Federal Rule of Civil Procedure 15.

La Brec should understand that he may not communicate directly with the court now that he is represented by counsel. He must work directly with counsel and permit them to exercise their professional judgment to determine which matters are appropriate to bring to the court's attention and in what form. La Brec does not have the right to require counsel to raise frivolous arguments or to follow every directive he makes. He should be prepared to accept the strategic decisions made by counsel even if he disagrees with some of them. If La Brec decides at some point not to work with counsel, he is free to end the representation, but he should be aware that it is unlikely that the court will work to recruit another lawyer to represent him.

If the parties believe that mediation could help resolve their disputes, they may contact the clerk of court, Peter Oppeneer, for assistance.

ORDER

IT IS ORDERED that the clerk of court is directed to set a telephone conference before Magistrate Judge Stephen Crocker to set the schedule for the remainder of the proceedings in this lawsuit.

Entered October 18, 2021.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge